

Calendar No. 529

105TH CONGRESS
2^D SESSION**H. R. 2886****[Report No. 105–292]**

IN THE SENATE OF THE UNITED STATES

MAY 13, 1998

Received; read twice and referred to the Committee on Energy and Natural
Resources

AUGUST 25, 1998

Reported under authority of the order of the Senate of July 31, 1998, by Mr.
MURKOWSKI, with an amendment[Omit the part struck through and insert the part printed in *italic*]

AN ACT

To provide for a demonstration project in the Stanislaus
National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Granite Watershed En-
5 hancement and Protection Act of 1998”.

1 **SEC. 2. DEMONSTRATION RESOURCE MANAGEMENT**
2 **PROJECT, STANISLAUS NATIONAL FOREST,**
3 **CALIFORNIA, TO ENHANCE AND PROTECT**
4 **THE GRANITE WATERSHED.**

5 (a) RESOURCE MANAGEMENT CONTRACT AUTHOR-
6 IZED.—The Secretary of Agriculture may enter into a con-
7 tract with a single private contractor to perform multiple
8 resource management activities on Federal lands within
9 the Stanislaus National Forest in the State of California
10 for the purpose of demonstrating enhanced ecosystem
11 health and water quality, and significantly reducing the
12 risk of catastrophic wildfire, in the Granite watershed at
13 a reduced cost to the Government. The contract shall be
14 for a term of five years.

15 (b) AUTHORIZED MANAGEMENT ACTIVITIES.—The
16 types of resource management activities performed under
17 the contract shall include the following:

18 (1) Reduction of forest fuel loads through the
19 use of precommercial and commercial thinning and
20 ~~prescribed burns.~~ *prescribed burns in the Granite wa-*
21 *tershed.*

22 (2) Monitoring of ecosystem health and water
23 quality in the Granite watershed.

24 (3) Monitoring of the presence of wildlife in the
25 area in which management activities are performed
26 and the effect of the activities on wildlife presence.

1 (4) Such other resource management activities
2 as the Secretary considers appropriate to dem-
3 onstrate enhanced ecosystem health and water qual-
4 ity in the Granite watershed.

5 (c) COMPLIANCE WITH FEDERAL LAW AND SPOT-
6 TED OWL GUIDELINES.—All resource management activi-
7 ties performed under the contract shall be performed in
8 a manner consistent with applicable Federal law and the
9 standards and guidelines for the conservation of the Cali-
10 fornia spotted owl (as set forth in the California Spotted
11 Owl Sierran Province Interim Guidelines or the subse-
12 quently issued final guidelines, whichever is in effect).

13 (d) FUNDING.—

14 (1) SOURCES OF FUNDS.—To provide funds for
15 the resource management activities to be performed
16 under the contract, the Secretary may use—

17 (A) funds appropriated to carry out this
18 section;

19 (B) funds specifically provided to the For-
20 est Service to implement projects to dem-
21 onstrate enhanced water quality and protect
22 aquatic and upland resources;

23 (C) excess funds that are allocated for the
24 administration and management of the
25 Stanislaus National Forest, California;

1 (D) hazardous fuels reduction funds allo-
2 cated for Region 5 of the Forest Service; and

3 (E) a contract provision allowing the cost
4 of performing authorized management activities
5 described in subsection (b) to be offset by the
6 values owed to the United States for any forest
7 products removed by the contractor.

8 (2) PROHIBITION ON USE OF CERTAIN
9 FUNDS.—Except as provided in paragraph (1), the
10 Secretary may not carry out the contract using
11 funds appropriated for any other unit of the Na-
12 tional Forest System.

13 (3) CONDITIONS ON FUNDS TRANSFERS.—Any
14 transfer of funds under paragraph (1) may be made
15 only in accordance with the procedures concerning
16 notice to, and review by, the Committee on Appro-
17 priations of the House of Representatives and the
18 Committee on Appropriations of the Senate that are
19 applied by the Secretary in the case of a transfer of
20 funds between appropriations.

21 (e) ACCEPTANCE AND USE OF STATE FUNDS.—The
22 Secretary may accept and use funds provided by the State
23 of California to assist in the implementation of the con-
24 tract under this section.

1 (f) REPORTING REQUIREMENTS.—Not later than
2 February 28 of each year during the term of the contract,
3 the Secretary shall submit to Congress a report describ-
4 ing—

5 (1) the resource management activities per-
6 formed under the contract during the period covered
7 by the report;

8 (2) the source and amount of funds used under
9 subsection (d) to carry out the contract; and

10 (3) the resource management activities to be
11 performed under the contract during the calendar
12 year in which the report is submitted.

13 (g) RELATIONSHIP TO OTHER LAWS.—Nothing in
14 this section exempts the contract, or resource management
15 activities to be performed under the contract, from any
16 Federal environmental law.

Passed the House of Representatives May 12, 1998.

Attest:

ROBIN H. CARLE,

Clerk.

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